

REMARKS

Claims 1-13 are pending and claims 1, 2, 5, 6 and 8-13 have been allowed. Claim 4 has been objected to and Claims 3 and 7 have been rejected under indefiniteness grounds. The specification has been objected to for various informalities.

In response, applicants amend claims 3, 4, and 7. Applicants also amend claim 5 for additional clarity. As requested by the Examiner, Applicants also have amended the specification to correct informalities and provide a substitution specification (except for the claims which are shown as amended to date). No new matter has been added.

Applicants thank the Examiner for allowing the claims 1, 2, 5, 6 and 8-13.

Reconsideration and allowance of the remaining claims earnestly are requested.

Drawings:

Applicants provide corrected drawings per draftsman's instruction on PTO-948 form.

Claim Objections:

On page 4 of the office action, the Examiner has objected to claim 4 as allegedly improper form and noted that claim 4 does not further limit claim 1. In response applicants amend the claim by adding the description "the vector pBluescript KS(+) derivative comprises two SK primer sequence elements". Reconsideration is solicited.

Claim Rejections under 35 USC § 112:

On page 4-8 of the office action, the Examiner has rejected claims 3 and 7 on alleged indefiniteness grounds. According to the Office Action, the terms "marker complex", "marker", "target structure" are not clearly defined in the specification. The Action inquires: a) which is the sequence that carries the 'marker'/'marker complex', the SKO or the plasmid; b) what is the 'marker

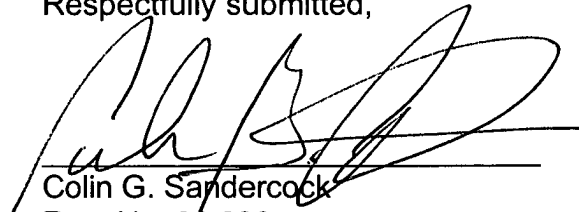
complex'- the SK primer sequence element itself, or the detectable element, because both are referred to as markers; and c) what comprises the marker complex, the SKO or the SK primer sequences of the plasmid. For clarity, applicants amend claims 3 and 7 to obviate this rejections.

CONCLUSION

In view of the foregoing, applicants respectfully request the Examiner to withdraw the objection to claim 4 and rejections against claims 3 and 7. The Examiner is invited to contact the undersigned attorney to resolve any issues, in order to expedite the prosecution of the application.

8.11.03
Date

Respectfully submitted,


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